

## ORDINANCE NO. 2007 - 040

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA); ADOPTING SMALL SCALE AMENDMENT **BELVEDERE/ SANSBURY COMMERCIAL (SCA 2007-039)**; MODIFYING PAGE 63 BY CHANGING A 2.15 ACRES PARCEL OF LAND LOCATED ON SOUTHWEST CORNER SOUTHWEST CORNER OF BELVEDERE ROAD AND SANSBURY WAY, FROM INDUSTRIAL (IND) TO COMMERCIAL HIGH WITH AN UNDERLYING INDUSTRIAL (CH/IND); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

**WHEREAS**, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, Section 163.3187(1)(c), Florida Statutes, provides comprehensive plan amendments directly related to small scale development activity may be made by local governments without regard to statutory limits regarding the timing and frequency of plan amendments; and

WHEREAS, Section 163.3187(1)(c)4, Florida Statutes, provides that small scale development amendments require only one public hearing before the governing board which shall be an adoption public hearing; and

WHEREAS, a property owner has initiated an amendment to the Future Land Use Atlas of the 1989 Comprehensive Plan; and

**WHEREAS**, the proposed amendment meets the criteria of a small scale development amendment per Section 163.3187(1)(c), Florida Statutes; and

**WHEREAS**, the Palm Beach County Local Planning Agency conducted a public hearing on September 7, 2007, to review the proposed amendment to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendment to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as

46 the governing body of Palm Beach County, conducted a public hearing  
47 pursuant to Chapter 163, Part II, Florida Statutes, on November 29,  
48 2007, to review the recommendations of the Local Planning Agency and  
49 to consider adoption of the amendments; and

50       **WHEREAS**, the Palm Beach County Board of County Commissioners has  
51 determined that the amendment complies with all requirements of the  
52 Local Government Comprehensive Planning and Land Development  
53 Regulation Act.

54       **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**  
55 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

56       **Part I. Amendments to the Future Land Use Atlas of the Land Use**  
57 **Element of the 1989 Comprehensive Plan**

58       The following amendment to the Future Land Use Element's Future  
59 Land Use Atlas is hereby adopted and is attached to this Ordinance:

60       **A. Future Land Use Atlas page 63** is amended as follows:

61       **Application No.:** Belvedere/ Sansbury Commercial (SCA 2007-  
62 039)

63       **Amendment:** Industrial (IND) to Commercial High with  
64 underlying Industrial (CH/IND);

65       **General Location:** Southwest corner of Belvedere Road and  
66 Sansbury Way;

67       **Size:** Approximately 2.15 acres;

68       **Part II. Repeal of Laws in Conflict**

69       All local laws and ordinances applying to the unincorporated  
70 area of Palm Beach County in conflict with any provision of this  
71 ordinance are hereby repealed to the extent of such conflict.

72       **Part III. Severability**

73       If any section, paragraph, sentence, clause, phrase, or word of  
74 this Ordinance is for any reason held by the Court to be  
75 unconstitutional, inoperative or void, such holding shall not affect  
76 the remainder of this Ordinance.

77       **Part IV. Inclusion in the 1989 Comprehensive Plan**

78       The provisions of this Ordinance shall become and be made a part  
79 of the 1989 Palm Beach County Comprehensive Plan. The Sections of  
80 the Ordinance may be renumbered or relettered to accomplish such, and  
81 the word "ordinance" may be changed to "section," "article," or any

82 other appropriate word.

83 Part V. Effective Date

84 This amendment shall not become effective until 31 days after  
85 adoption. If challenged within 30 days after adoption, this  
86 amendment shall not become effective until the state land planning  
87 agency or the Administration Commission, respectively, issues a final  
88 order determining the amendment is in compliance.

89 **APPROVED AND ADOPTED** by the Board of County Commissioners of  
90 Palm Beach County, on the 29th day of November, 2007.

91  
92 ATTEST:

93 SHARON R. BOCK, CLERK

PALM BEACH COUNTY, FLORIDA,

BY ITS BOARD OF COUNTY COMMISSIONERS

94

95

96 By: Judith L. Bock

97 Deputy Clerk

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By: Addie L. Greene

Addie L. Greene, Chairperson

99 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

100

101 Robert D. Bock

102 COUNTY ATTORNEY

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104 Filed with the Department of State on the 12th day

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106 of December, 2007.

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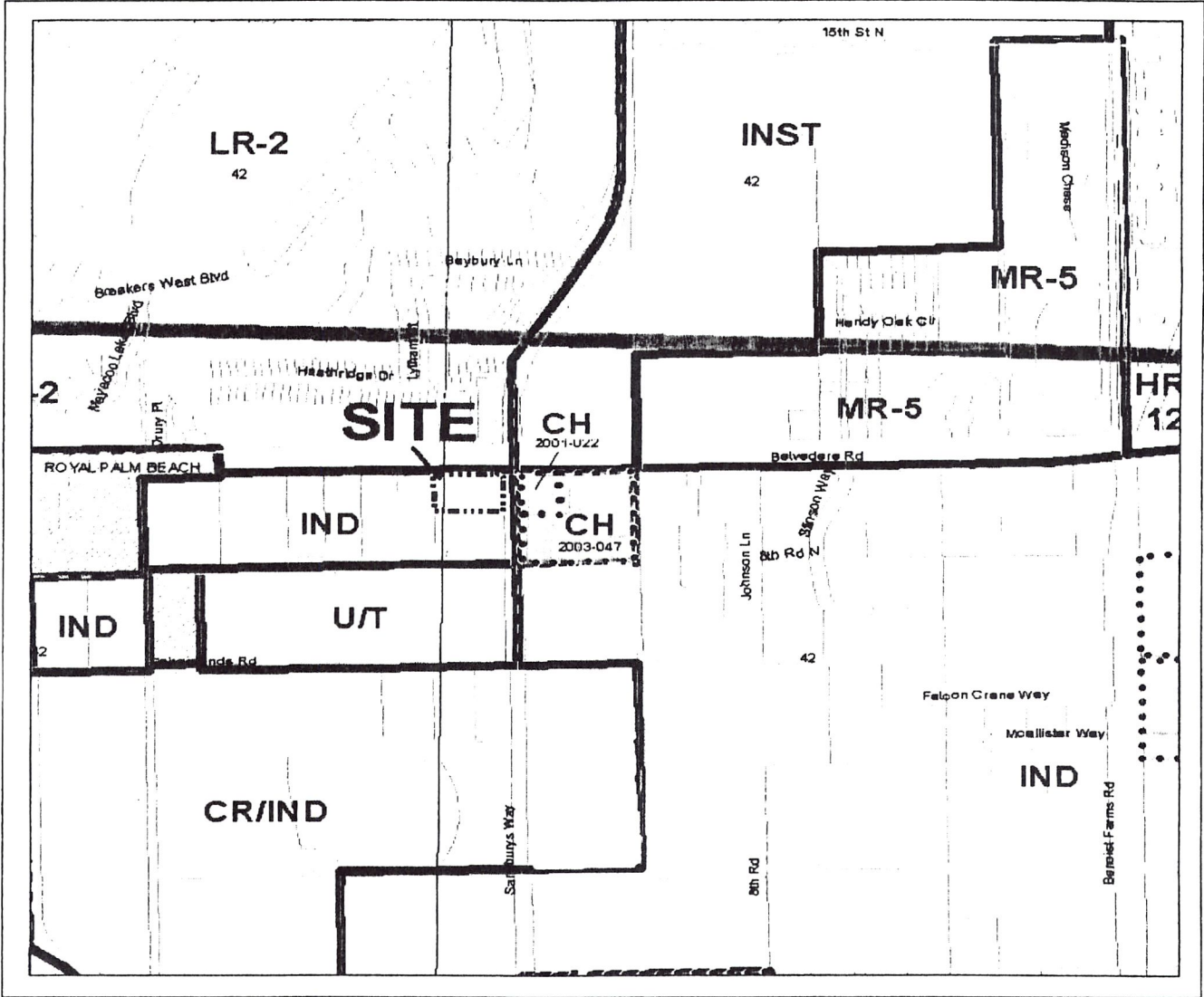
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EXHIBIT 1

**Amendment No.:** Belvedere/ Sansbury Commercial (SCA 2007-039)  
**FLUA Page No.:** 63  
**Amendment:** Industrial to Commercial High Intensity with an underlying Industrial (CH/IND)  
**Location:** Southwest Corner of Belvedere Road and Sansbury Way  
**Size:** Approximately 2.15 acres  
**Property No.:** 00-42-43-31-03-000-0030  
**Conditions:** None



## Legal Description

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Lot 3 of "BELRUB INDUSTRIAL PARK PLAT NO. 2", Recorded in Plat Book 59, Pages 146 and 147, being in Section 31 and 32, Township 43 South, Range 42 East, Palm Beach County, Florida, being a Replat of a Portion of Tracts 5 and 6, Block 7, Palm Beach Farms Co. Plat No. 3, recorded in Plat Book 2, Pages 45 thru. 54, Public Records of Palm Beach County, Florida.

Lot 3 containing: 93,813.8 s.f.- 2.15 acres

Property Control No. 00-42-43-31-03-000-0030

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, SHARON R. BOCK, Clerk and Comptroller  
certify this to be a true and correct copy of the original  
filed in my office on November 24, 2007

dated at West Palm Beach, FL on 12/21/09

By: Sharon Bock

Deputy Clerk

PALM BEACH  
COUNTY  
FLORIDA